REMARKS

Claims 1-14 are pending in this application with claim 7 amended by this response.

Claim 7 has been formally amended to clarify that the step of correlating (run by the processing module as cited in claim 1) is activated following the steps of receiving the service data and usage criteria and searching the storage criteria characterizing the memory.

Rejection of Claims 1-12 and 14 under 35 USC § 102(b)

Claim 1-12 and 14 are rejected under 35 § 102(b) as being anticipated by Lazarus et al (U.S. Patent No. 5,652,613).

The present invention as claimed in Claim 1 recites a television receiver furnished with a memory intended to contain service data. The receiver includes means for receiving service data and usage criteria associated with the usage of the service data. A processing module is able to correlate the usage criteria of the service data and storage criteria. The processing module determines the conditions of storage of the service data in a memory. The processing module is activated automatically on receipt of the service data and the associated usage criteria.

The present claimed invention thus discloses that a processing module is activated **automatically** on receipt of service data and the associated usage criteria. Therefore, the television receiver receives the service data **and** the associated usage criteria. The present claimed invention also discloses that the processing module is able to correlate the usage criteria of service data and storage criteria. Therefore, the television receiver correlates information that arrives from the outside with storage criteria that is proper to the television receiver. The result of this correlation allows for determining the conditions of storage.

Lazarus neither discloses nor suggests the above disclosed characteristics of claim 1. Lazarus is directed to a "memory management system and method, and, in particular, to an intelligent system and method for allocating the finite memory resources of a television electronic program guide ("EPG") according to the current utility of the program schedule information stored in the EPG's memory" (see column 1, lines 6-11). An object of Lazarus is "to implement an EPG which **initially** stores the schedule information for the viewer's service area and which then permits the program information to assume a continuous range of values according to its present utility so that the least valuable information stored in memory can be identified and **deleted** on a real-time basis as free memory space is needed by the system" (see Column 2, lines 35-41). Therefore, Lazarus teaches a memory management system that deletes information when the system needs free memory space.

The Examiner cites the passage at Column 4 line 21-26 of Lazarus which states "..., the system compares the available memory space with a predetermined memory utilization value, above which the system deems the available free memory space insufficient. If there is insufficient free space memory available, the system then invokes the triage subroutine 140 wherein, as explained more fully below, information contained in unexpired program records is prioritized and deleted according to its current value to the viewer. ...." Further, column 4, line 63 is cited by the Examiner. This passage recites "... The comparison routine 130 does this by retrieving a previously stored memory utilization parameter that can be set to any value according to the particular system requirement." Applicant believes that the Examiner interprets the term "memory utilization parameter", and considers that it is equivalent to the "usage criteria of said service data" or "storage criteria" as in the present claimed invention. However, the "memory utilization parameter" is particular to the system of Lazarus (see column 4, line 63- 67) and, defines a minimum value of free memory space such as explained column 7, line 3-6 which states "...., the least valuable data is deleted until compliance with the pre-determined utilization parameter is achieved in step 145."

Lazarus also discloses a "comparison routine 130" that compares the present free memory space with a memory utilization parameter. The result of this comparison allows stopping "after enough information has been deleted to accommodate the new schedule information to be stored" (see column 4, lines 26-28). This is wholly unlike the present claimed invention which correlates an information received from outside with inside information. The triage subroutine 140 allows determining unexpired program records for deleting. However, the result of the correlation as in the present claimed invention is not the deletion or the keeping in memory but the conditions of storage. There is no reason that the skilled man knowing the teaching of Lazarus would determine the conditions of storage according to usage criteria of received service data as in the present claimed invention. It is thus respectfully submitted that Lazarus neither discloses nor suggests the claimed processing module.

The present invention as claimed in claim 1 recites the service data and the associated usage criteria are received. Nowhere does Lazarus disclose or suggest that the service data is received with associating usage criteria. Lazarus only discloses the receiving of EPG information and the storage of all the received information (see column 2, line 35) "....an EPG which **initially** stores the schedule information." In the present claimed invention, the service data are stored but it does not need that the received "usage criteria of said service data" are also stored (II).

The moment of launching the housekeeping routine and the processing module as claimed is different. The Examiner contends that Lazarus discloses "the processing module being activated automatically on receipt of said service data and of the associated usage criteria (deleted according to its current value to the viewer). However, Lazarus teaches that "The housekeeping routine may be invoked as often as necessary to free up space in the memory. ... For example, a complete new schedule is sent to subscribers on a daily, weekly, or some other periodic basis, with no data sent in between complete schedule updates. In these embodiments, the housekeeping routine need only be run in advance of the next schedule" (see Column 3, lines 50- 62). It is obvious that the housekeeping routine takes time for deleting enough place, it is the reason that the routine is run in advance. A goal of memory management of Lazarus

relates on preparing the memory for getting enough memory place for the next reception. In the present claimed invention, "the processing module being activated automatically on receipt of said service data and of the associated usage criteria". Lazarus is completely different since in the present claimed invention, the usage criteria must be received before to correlate with the storage criteria. According to the present claimed invention, the receiver cannot launch the processing module in advance. Therefore, there is no reason that the skilled man knowing the teaching of Lazarus would activate the processing module on receipt of service data and the associated usage criteria.

For at least these reasons, it is respectfully submitted that Lazarus fails to disclose or suggest each of the features and limitations as recited in present claim 1. It is thus respectfully submitted that claim 1 is not anticipated by Lazarus. As claims 2-12 and 14 are dependent on claim 1, it is respectfully submitted that these claims are also allowable for the same reasons as claim 1. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 13 under 35 USC§ 103

Claims 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazarus et al (U.S. Patent No. 5,652,613) in view of Jenevein et al. (U.S. Patent No. 6,615,365 B1).

Similarly to Lazarus, Jenevein (US 6,615,365) neither discloses nor suggests that the "reception of service data and of usage criteria associated with the usage of these service data" as in the present claimed invention. Moreover, the received data of picture are firstly received in a reception memory then, they are definitely stored contiguously or non-contiguously. Therefore, the routine that defines the conditions of storage is not "activated automatically on receipt of said service data and of the associated usage criteria."

In view of the above remarks, it is respectfully submitted that the present invention as claimed in claim 1 is not unpatentable over Lazarus when taken alone or in combination with Jenevein. As claim 13 is dependent on claim 1, it is respectfully submitted that this claim is also allowable for the same reasons as claim 1. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,
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